

REMARKS

Claims 1-4, 6-14 and 16-31 remain pending in the application.

Claims 1-4, 6, 7-14, and 16-31 over Lohtia, Whittington and Neustein

In the Office Action, claims 1, 2, 10-12, 19-21, 23, 24, 26, 27, 29 and 30 were rejected under 35 U.S.C. §103(a) as allegedly being obvious over U.S. Pat. No. 6,560,456 to Lohtia et al. ("Lohtia") in view of U.S. Pat. No. 6,131,028 to Whittington ("Whittington"), and further in view of U.S. Pat. No. 5,225,150 to Neustein ("Neustein"); claims 3, 4, 7-9, 13, 14, 17, 18, 22, 25, 28 and 31 were rejected under 35 U.S.C. §103(a) as allegedly being obvious over Lohtia in view of Whittington and Neustein, and further in view of U.S. Pat. No. 6,456,852 to Bar et al. ("Bar"); and claims 6 and 16 were rejected under 35 U.S.C. §103(a) as allegedly being obvious over Lohtia in view of Whittington and Neustein, and further in view of U.S. Publication No. 2004/0203922 to Hines ("Hines"). The Applicants respectfully traverse the rejections.

The Applicants respectfully suggest that the need to combine as may as FOUR distinct references is an indication of the non-obviousness of claims 1-4, 6, 7-14, and 16-31.

Claims 1-4 and 6-10 recite receiving an information telephone call from a subscriber, a telephone number initiating the telephone call including at least one auxiliary digit suffix**ed by the subscriber** to an end of the telephone number to specifically request a location-based message. Claims 11-14, 16-19 and 29-31 recite receiving, at a mobile switching center, an information telephone call from a subscriber, a telephone number initiating the telephone call including at least one auxiliary digit suffix**ed by the subscriber** to an end of the telephone number to specifically request a location-based message. Claims 20-22 and 26-28 recite a receiver to receive an information telephone call from a subscriber, a telephone number initiating the telephone call including at least one auxiliary digit suffix**ed by the subscriber** to an end of the telephone number to specifically request a location-based message. Claims 23-25 recite a receiver integrated with a mobile switching center to receive an information telephone call from a subscriber, a telephone number initiating the telephone call including at least one

auxiliary digit suffixes by the subscriber to an end of the telephone number to specifically request a location-based message.

Thus, as can be seen, ALL pending claims require an information telephone call initiated with a telephone number that includes at least one auxiliary digit suffixes by a subscriber to an end of the telephone number to specifically request a location-based message.

The Examiner cites Lohtia, but agrees that Lohtia fails to teach a “location-based service to obtain a location of the subscriber is a wireless service and a telephone number initiating said telephone call including at least one auxiliary digit (feature code) beyond those associated with the information telephone call; retrieving a message relating to said location based on requested information associated with said at least one auxiliary digit.” (Office Action, at 3-4) It is respectfully submitted that what Lohtia fails to teach is essentially everything about the claim features.

Lohtia discloses a user calling a telephone number, such as “800-WEATHER” (see col. 5, lines 6-24). The called party or destination telephone number triggers a message being sent to the user, as set up by the user in a user’s service information profile that is pre-defined and pre-established by a user (see Lohtia, col. 5, lines 25-52). “Pre-defined” messages and “pre-established” messages as taught by Lohtia are not specifically requested location-based messages, much less specifically requested location-based messages based on a user-suffixes auxiliary digit, as claimed by claims 1-4, 6, 7-14, and 16-31. Thus, Lohtia teaches away from having a user attach auxiliary digits to a telephone number because specifically relying on a user’s service information profile that is pre-defined and pre-established to designate what information to send to a user.

The Examiner cites Whittington for allegedly disclosing a “location-based service to obtain a location of the subscriber is a wireless service (abstract, columns 2-5) and a telephone number initiating said telephone call including at least one auxiliary digit (feature code) beyond those associated with the information telephone call (column 3 lines 22-35 and column 4 lines 53-65);

retrieving a message relating to said location based on requested information associated with said at least one auxiliary digit (i.e., a feature code can be used to obtain directions to the nearest gas station)(column 3 lines 22-35 and column 4 lines 53-65)." (Examiner's Answer at 4-5)

Whittington appears to teach the use of a **feature code** to specify a location based service. In response to receipt of this **feature code** (Note that this is **NOT in response to a telephone call with a telephone number** as claimed by ALL pending claims herein), Whittington's method sends a query to a location finding service. Then, the service specified by the **feature code** is returned. (Whittington, Abstract)

Whittington details that his "**feature code is a specified sequence of digits FOLLOWING AN ASTERISK (*)**". (Col. 3, lines 22-23) The **feature code** and telephone number are received by an MSC 17 as an incoming call. BUT, the MSC recognizes the use of a **feature code** and instead of routing the call as a telephone call, it identifies the **feature code** and sends an appropriate origination request to the HLR 19. The HLR sends a **feature request** to location based call forwarding service, which processes the **feature request** and sends a location query. (Whittington, col. 3, lines 37-47)

Whittington teaches use of a FEATURE CODE that MUST be entered BEFORE or in FRONT of the telephone number.

In fact, Whittington **TEACHES AWAY** from the invention because Applicants' claimed features WOULD NOT WORK as envisioned if the feature code were suffixed to the end of the telephone number.

The Examiner cites Neustein to allegedly disclose a user suffixing an auxiliary digital at the end of a telephone number (see Office Action, page 4 and 5). However, the Examiner has ignored what Neustein discloses as the use of such an auxiliary digital suffixed at the end of a telephone number. Neustein specifically discloses uses a suffix number appended to a telephone number to **differentiate a particular called pager** from a group of pagers relying on a family telephone number (see col. 5, lines 30-35). Neustein disclosing use of an auxiliary number suffixed to a telephone number cannot render obvious every

possible conceivable use of a number suffixed to a telephone number. Thus, Neustein teachings specifically disclose a suffix number appended to a telephone number to differentiate a particular called pager from a group of pagers relying on a family telephone number. Neustein fails to disclose, teach or suggest anything application to an information telephone call, much less disclose, teach or suggest an information telephone call, with an initiating telephone number including at least one auxiliary digit suffixed by a subscriber to an end of the telephone number to specifically request a location-based message, as recited by claims 1-4, 6, 7-14, and 16-31.

Moreover, the Examiner alleged that it would have been obvious to modify Lohtia with the disclosure of Neustein to arrive at the claimed features "for the purpose of location service (e.g., locating a subscriber) as taught by Neustein." (Office Action, page 5). However, Neustein uses a suffix appended to a telephone number to differentiate a particular called party from a group relying on a family telephone number (see col. 5, lines 30-35). Modifying Lohtia that relies on a telephone number and a user's service information profile to use a suffix to differentiate a particular called party from a group relying on a family telephone number is nonsensical. Lohtia's invention has nothing to do with differentiating a particular called party from a group. The Examiner has ignored Neustein's teachings for which it discloses such a suffix, i.e., to route a page to a particular destination that relies on a family telephone number. Neustein, like Lohtia and Whittington, fails to disclose use of an auxiliary digit suffixed to a telephone number with an information telephone call, much less an information telephone call, with an initiating telephone number including at least one auxiliary digit suffixed by a subscriber to an end of the telephone number, as recited by claims 1-4, 6, 7-14, and 16-31.

Moreover, It is IMPORTANT that Applicants' auxiliary digits be **SUFFIXED** to the **END** of the telephone number, as that allows the call to be routed FIRST to the destination network element (in this case the 411 information service), which then looks at the SUFFIXED digits to determine a requested service. To modify Lohtia to route an auxiliary digit to a destination network

element, have the destination network element process the auxiliary digit, and retrieve any type of information based on the auxiliary digit would require a **COMPLETE** redesign of Lohtia's system that was not designed to perform any such functions. A **COMPLETE** redesign of Lohtia's system to perform its function in a **COMPLETELY** different way to use the claimed auxiliary digit is not an obvious modification of Lohtia.

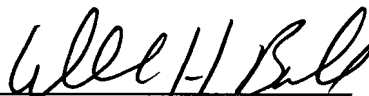
Clearly, neither Lohtia, Whittington nor Neustein, either alone or in combination, disclose, teach or suggest an information telephone call, with an initiating telephone number including at least one auxiliary digit suffixes by a subscriber to an end of the telephone number to specifically request a location-based message, as REQUIRED by ALL pending claims 1-4, 6, 7-14 and 16-31.

Accordingly, for at least all the above reasons, claims 1-4, 6, 7-14 and 16-31 are patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

Conclusion

All objections and rejections having been addressed, it is respectfully submitted that the subject application is in condition for allowance and a Notice to that effect is earnestly solicited.

Respectfully submitted,



William H. Bollman

Reg. No.: 36,457

Tel. (202) 261-1020

Fax. (202) 887-0336

MANELLI DENISON & SELTER PLLC

2000 M Street, N.W. 7th Floor

Washington D.C. 20036-3307

WHB/df